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NO. 3732 P. 1

FOLEY & LARDNER LLP ATTORNEYS AT LAW

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FACSIMILE TRANSMISSION

Total # of Pages 20 (including this page)

TO:	PHONE #:	FAX #:
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		571-273-83pz

From: Steven C. Koerber, Ph. D., Patent Agent

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Date: November 7, 2005

Client/Matter No: 073442-0301

User ID No:

MESSAGE:

Re: United States Patent Application No. 09/675,509

Following are:

- 1) Amendment Transmittal w/ Petition for Extension of Time and Deposit Account Authorization, in duplicate (6 pgs.)
- 2) Amendment and Reply Under 37 CFR 1.111 (13 pgs.)

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023.269258.1

Cover Page 1 of 1

FOLEY & LARDNER LLP

NOV 0 7 2005

Atty. Dkt. No. 073442-0301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chandler Fulton, et al.

Title: THIAMINASES AND

THIAMINASE GENES FOR USE

IN APOPTOTIC THERAPIES

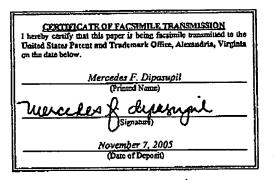
Appl. No.: 09/675,509

Filing Date: 09/29/2000

Examiner: T. Ton

Art Unit: 1632

Conf. No. 1879



AMENDMENT TRANSMITTAL

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[X] The fee required for additional claims is calculated below:

		Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
,	Total Claims:	17	•	31	=	0	X	\$50.00	=	\$0.00
	Independent Claims:	8	-	8	=	0	x	\$200.00	=	\$0.00
	Cmms.	First preser	ntatio	on of any Multi	ple De	pendent Claims:	+	\$360.00	=	\$0.00
						CLAI	MS P	BE TOTAL	=	\$0.00

DLMR_277198.1

NO. 3732 P. 3

Atty. Dkt. No. 073442-0301

NOV 0 7 2005

In re application of Fulton et al.

Application No.: 09/675,509

Page 2 of 3

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Extension for response filed within the first month:			
Extension for response filed within the second month			
Extension for response filed within the third month:			
Extension for response filed within the fourth month:			
Extension for response filed within the fifth month:			
EXTE			
Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):			
CLAIMS, EXTENSION AND DISCLA			
Small Entity Fees Apply			
[X] Small Entity Fees Apply (subtract ½ of above): TOTAL FEE:			
ne second month ne third month: ne fourth month: ne fifth month: EXTER C.F.R. 1.20(d): N AND DISCLA			

- [X] Please charge Deposit Account No. 50-0872 in the amount of \$60.00. A duplicate copy of this transmittal is enclosed.
- A check in the amount of \$60.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

DLMR_277196.1

Atty. Dkt. No. 073442-0301

In re application of

Fulton et al.

Application No.: 09/675,509

Page 3 of 3

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

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Steven C. Koerber Patent Agent

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Richard J. Warburg Registration No. 32,327 Attorney for Applicants

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NO. 3732 P. 8

NOV 0 7 2005

Atty. Dkt. No. 073442-0301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Fulton, et al.

Title:

THIAMINASES AND

THIAMINASE GENES FOR USE IN APOPTOTIC THERAPIES

Appl. No.:

09/675,509

Filing Date:

9/29/2000

Examiner:

T. Ton

Art Unit:

1632

Conf. No.:

1879

AMENDMENT AND REPLY UNDER 37 CFR 1.111

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated July 6, 2005, concerning the above-referenced patent application. Applicants have enclosed with this amendment a Petition for Extension of Time to make this response timely.

Amendments to the Claims are reflected in the Listing of Claims which begins on page 2 of this document.

Remarks begin on page 7 of this document.

11/08/2005 CHGUYEN 00000030 500872 09

01 FC:2251 60.00 DA

DLMR_275912.2